

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 22-22509-CIV-MARTINEZ-BECERRA

LITTLE RIVER TRANSPORT, LLC,

Plaintiff,

v.

OINK OINK, LLC,

Defendant.

ORDER ADOPTING OMNIBUS REPORT AND RECOMMENDATION

THIS MATTER was referred to the Honorable Jacqueline Becerra, United States Magistrate Judge, for a Report and Recommendation on all pretrial proceedings. (ECF No. 85.) Judge Becerra filed an Omnibus Report and Recommendation in which she recommended that Defendant Oink Oink, LLC's Motion to Dismiss, (ECF No. 13), and Motion to Dismiss for Lack of Subject Matter Jurisdiction, (ECF No. 53), be denied. (ECF No. 137.) Defendant timely filed its Objection to the Report and Recommendation (the "Objection"), (ECF No. 141), and the time to do so has now passed, (*see* ECF No. 137 at 14).

This Court perused the entire file and record, reviewed applicable law, and conducted a *de novo* review of the issues the Objection present and is otherwise fully advised in the premises. In the Objection, Defendant argues that Judge Becerra erred in finding that Non-party Mineral Coals Logistica, SAS, is not an indispensable party. (*See generally* ECF No. 141.) After careful consideration, this Court finds that the issues raised in the Objection, (*id.*), were already addressed in Judge Becerra's thorough and well-reasoned Report and Recommendation, (*see generally* ECF No. 137), or are without merit.

Therefore, it is **ADJUDGED** that Judge Becerra's Report and Recommendation, (ECF No.

137), is **AFFIRMED** and **ADOPTED**. Accordingly, it is **ORDERED AND ADJUDGED** that:

1. The Objection, (ECF No. 141), is **OVERRULED**.
2. Defendant's Motion to Dismiss, (ECF No. 13), and Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction, (ECF No. 53), are **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 3 day of May, 2023.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Becerra
All Counsel of Record